

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

DOCKET & FILE

	x
FERIDA HILL,	:
	:
Plaintiff,	:
-against-	:
	:
WORLD CLASS AUTOMOTIVE CORP., <i>et al.</i> ,	06-CV-2496 (SLT)(RLM)
	:
Defendants.	<u>ORDER</u>
	:
	x

TOWNES, United States District Judge:

In May 2006, plaintiff Ferida Hill removed this negligence action to this Court from the Supreme Court of the State of New York, Nassau County, alleging diversity of citizenship. There was no further activity in the case until October 2007, when Magistrate Judge Roanne L. Mann issued an order directing plaintiff to show cause why the action should not be dismissed with prejudice for lack of prosecution. When plaintiff failed to respond to that order to show cause, Magistrate Judge Mann issued a report and recommendation ("R&R"), recommending that this Court dismiss the case. Plaintiff did not object to the R&R and by order dated June 30, 2008, this Court adopted that R&R and dismissed the action.

On September 15, 2008 – more than two months after the judgment dismissing the action had been entered – plaintiff moved pursuant to Fed. R. Civ. P. 60(b) for relief from this Court's June 30, 2008, order. This Court promptly referred the motion to Magistrate Judge Mann for a second R&R. On October 9, 2008, Magistrate Judge Mann issued that R&R, recommending that plaintiff's motion be denied.

As of the date of this order, the Court has not received any objections to the R&R. Accordingly, the Court has reviewed the R&R for clear error on the face of the record. *See* Advisory Comm. Notes to Fed. R. Civ. P. 72(b); *accord Edwards v. Town of Huntington*, No. 05

Civ. 339 (NGG) (AKT), 2007 WL 2027913, at *2 (E.D.N.Y. July 11, 2007); *McKoy v. Henderson*, No. 05 Civ. 1535 (DAB), 2007 WL 678727, at *1 (S.D.N.Y. Mar. 5, 2007). The Court finds no clear error, and therefore adopts the R&R in its entirety as the opinion of the Court pursuant to 28 U.S.C. § 636(b)(1).

CONCLUSION

For the reasons stated above, Magistrate Judge Mann's Report and Recommendation dated October 9, 2008, is adopted in its entirety. Plaintiff's motion for relief from this Court's June 30, 2008, order dismissing this case is, therefore, denied.

SO ORDERED.

S/SLT
SANDRA L. TOWNES
United States District Judge

Dated: November 4, 2008
Brooklyn, New York